

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

EKF PROPERTIES, LLC,
a New Mexico limited liability company,

Plaintiff,

Case No. 1:23-cv-00970-LF-SCY

vs.

SCOTT SPENDLOVE,

Defendant.

**NOTICE OF RETURN OF SUMMONS FOR
DEFENDANT SCOTT SPENDLOVE**

COMES NOW Plaintiff EKF Properties, LLC, a New Mexico limited liability company, with its notice of return of summons related to completion of service on Defendant Scott Spendlove. As permitted by Fed. R. Civ. P. 4(e)(1), this defendant was served via certified mail as contemplated in NMRA Rule 1-004(E)(3). As further described in Exhibit 1, service is effective on December 27, 2023.

Respectfully submitted,

JENNINGS HAUG KELEHER McLEOD LLP

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Attorneys for Plaintiff EKF Properties, LLC

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of New Mexico



EKF PROPERTIES, LLC,
a New Mexico limited liability company

Plaintiff(s)

v.

SCOTT SPENDLOVE

Defendant(s)

Civil Action No. 1:23-cv-00970-LF-SCY

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* SCOTT SPENDLOVE
4171 S. Westway Dr.
Coeur d'Alene, ID 83814-7202
(509) 713-0195

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

JENNINGS HAUG KELEHER McCLEOD
Lidiya I. Bayliyeva, Cassandra R. Malone, Ryan M. Walters
201 3rd Street NW, Suite 1200
Albuquerque, NM 87102

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: Thursday, November 09, 2023

CLERK OF COURT
United States District Court
for the District of New Mexico
Bobbi Cenicerros

Signature of Clerk or Deputy Clerk

EXHIBIT 1

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 1:23-cv-00970-LF-SCY

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) SCOTT SPENLOVE
 was received by me on (date) 11 15 23.

☐ I personally served the summons on the individual at (place) _____
 on (date) _____; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on (name of individual) _____, who is
 designated by law to accept service of process on behalf of (name of organization) _____
 on (date) _____; or

☐ I returned the summons unexecuted because _____; or

☒ Other (specify): SCOTT SPENLOVE WAS SERVED ON 12/27/23 BY CERTIFIED MAIL
RESTRICTED DELIVERY. CERTIFIED MAIL WAS SENT TO 4171 S. WESTWAY DRIVE
COEUR D'ALENE, ID 83814-7202 WHICH IS THE ADDRESS LISTED ON THE SUMMONS.
SEE ATTACHED GREEN CARD

My fees are \$ _____ for travel and \$ 215⁵⁰ for services, for a total of \$ 215⁵⁰.

I declare under penalty of perjury that this information is true.

Date: 01 04 24

Dewayne Z Z PROCESS SERVING
 Dewayne Zimitski
 Zimitski PRIVATE PROCESS SERVER
 BX 35683
 ALBUQUERQUE
 NM 87176
 Server's signature
 Printed name and title
 Server's address

Additional information regarding attempted service, etc:

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.
 ■ Print your name and address on the reverse so that we can return the card to you.
 ■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SCOTT SPENDLOVE
 4171 S. WESTWAY DR
 COEUR D'ALENE, ID 83814

2. Article Number (Transfer from service label)
 9589 0710 5270 1039 1410 68

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☒ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Mail
☐ Mail Restricted Delivery

4. Service Type
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

5. Domestic Return Receipt

6. PS Form 3811, July 2020 PSN 7530-02-000-9053

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com.

COEUR D'ALENE POSTAL USE

Postage \$2.55

Total Postage and Fees \$17.55

Sent To SCOTT SPENDLOVE
 4171 S. WESTWAY DR.
 COEUR D'ALENE ID 83814-7802

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



UPTOWN
 2505 GRACELAND DR NE
 ALBUQUERQUE, NM 87110-9998
 (800)275-8777

11/15/2023 02:01 PM

Product	Qty	Unit Price	Price
First-Class Mail® Large Envelope	1		\$2.55
Coeur D Alene, ID 83814 Weight: 0 lb 5.40 oz Estimated Delivery Date Mon 11/20/2023			
Restricted Del			\$11.45
Recipient name SCOTT SPENDLOVE			
Tracking #: 9589 0710 5270 1039 1410 68			
Return Receipt			\$3.55
Tracking #: 9590 9402 8627 3244 6431 68			
Total			\$17.55

Grand Total: \$17.55
 Cash \$17.55

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

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 Thank you for your business.

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 Go to: <https://postalexperience.com/Pos>
 or scan this code with your mobile device,



or call 1-800-410-7420.

UFN: 340146-0110
 Receipt #: 840-58700067-3-6883501-3
 Clerk: 29

89 0747 6E0T 0225 0720 6856